THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 19050 of 2005

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Dated:30.08.2005

Between:

Davanam Sugunamma, w/o. Yesu Ratnam,
r/o. Chinnamachupally Village, Chennur Mandal, Kadapa District.

..... PETITIONER

AND

The District Collector, Kadapa District, Kadapa and others.

.....RESPONDENTS

ORDER:

The petitioner is a resident of Chinnamachupally Village in Kadapa District. She was assigned an extent of Acs.2.50 in Survey No.417/1 of the said Village in 1997. It appears the Government mooted a proposal to develop a Satellite City near Kadapa and also proposed to resume the land assigned to the petitioner. Having come to know the same, the petitioner made representations on 07.02.2005, 25.04.2005 and 13.06.2005, in vain. She alleges that the respondents are proceeding with the resumption without following due process of law.

I have heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (Assignment).

A reading of the affidavit discloses that the writ petition is filed under mere apprehension. Even while the project of developing Satellite City in Kadapa is at a proposal stage, the petitioner, apprehending coercive action in dispossessing her, has filed the present writ petition. Therefore, no direction can be granted as prayed for. However, it must be observed that the petitioner has been allegedly in possession since 1978. By reason of the judgment of this Court in **LAO-Cum-Revenue Divisional Officer v. Mekala Pandu**, which was rendered by a Bench of seven learned Judges, even when the assigned land is resumed, the assignees are

entitled for compensation as per the provisions of the Land Acquisition Act, 1894. In view of these facts, the respondents cannot highhandedly dispossess the petitioner without issuing notice and without following due process of law.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

30.08.2005

vs